



General Assembly

Substitute Bill No. 5429

February Session, 2004

* HB05429ED 031504 *

**AN ACT CONCERNING ADMINISTRATION OF MEDICATION IN
SCHOOLS AND REPEALING AN OBSOLETE SECTION OF THE
STATUTES.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subsection (a) of section 10-212a of the general statutes, as
2 amended by section 4 of public act 03-211, is repealed and the
3 following is substituted in lieu thereof (*Effective July 1, 2004*):

4 (a) (1) A school nurse or, in the absence of such nurse, any other
5 nurse licensed pursuant to the provisions of chapter 378, including a
6 nurse employed by, or providing services under the direction of a local
7 or regional board of education at, a school-based health clinic, who
8 shall administer medical preparations only to students enrolled in such
9 school-based health clinic in the absence of a school nurse, the
10 principal, nursing assistant, any teacher, licensed physical or
11 occupational therapist employed by a school district, or coach of
12 intramural and interscholastic athletics of a school may administer,
13 subject to the provisions of subdivision (2) of this subsection,
14 medicinal preparations, including such controlled drugs as the
15 Commissioner of Agriculture and Consumer Protection may, by
16 regulation, designate, to any student at such school pursuant to the
17 written order of a physician licensed to practice medicine or a dentist
18 licensed to practice dental medicine in this or another state, or an
19 advanced practice registered nurse licensed to prescribe in accordance

20 with section 20-94a, or a physician assistant licensed to prescribe in
21 accordance with section 20-12d, and the written authorization of a
22 parent or guardian of such child. The administration of medicinal
23 preparations by a nurse licensed pursuant to the provisions of chapter
24 378, a principal, nursing assistant, teacher, licensed physical or
25 occupational therapist employed by a school district, or coach shall be
26 under the general supervision of a school nurse. No such school nurse
27 or other nurse, principal, nursing assistant, teacher, licensed physical
28 or occupational therapist employed by a school district, coach or
29 school paraprofessional administering medication pursuant to
30 subsection (d) of this section shall be liable to such student or a parent
31 or guardian of such student for civil damages for any personal injuries
32 which result from acts or omissions of such school nurse or other
33 nurse, principal, nursing assistant, teacher, licensed physical or
34 occupational therapist employed by a school district, coach or school
35 paraprofessional administering medication pursuant to subsection (d)
36 of this section in administering such preparations which may
37 constitute ordinary negligence. This immunity shall not apply to acts
38 or omissions constituting gross, wilful or wanton negligence.

39 (2) Each local and regional board of education that allows a school
40 nurse or, in the absence of such nurse, any other nurse licensed
41 pursuant to the provisions of chapter 378, including a nurse employed
42 by, or providing services under the direction of a local or regional
43 board of education at, a school-based health clinic, who shall
44 administer medical preparations only to students enrolled in such
45 school-based health clinic in the absence of a school nurse, the
46 principal, nursing assistant, any teacher, licensed physical or
47 occupational therapist employed by a school district, or coach of
48 intramural and interscholastic athletics of a school to administer
49 medicine or that allows a student to self-administer medicine shall
50 adopt written policies and procedures, in accordance with this section
51 and the regulations adopted pursuant to subsection (c) of this section,
52 that shall be approved by the school medical advisor or other qualified
53 licensed physician. Once so approved, such administration of

54 medication shall be in accordance with such policies and procedures.

55 Sec. 2. (*Effective July 1, 2004*) Section 8 of public act 03-168 is
56 repealed.

This act shall take effect as follows:	
Section 1	<i>July 1, 2004</i>
Sec. 2	<i>July 1, 2004</i>

ED *Joint Favorable Subst.*